

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 2856 (203-3411)
INTERNATIONAL APPLICATION NO. PCT/EP2003/08067	INTERNATIONAL FILING DATE 23 July 2003	U.S. APPLICATION NUMBER Known, see 37 CFR 1.5) To Be Assigned <b>107522450</b>
TITLE OF INVENTION IVS OBTURATOR INSTRUMENT AND PROCEDURE		
APPLICANT(S) FOR DO/EO/US Peter Petros, et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: Return Postcar, Cert Express Mail EJ853409607US, Intern. Search Report 11/17/2003 (6 pgs), w/Foreign Ref, Fee Transmittal, PCT Request 7/23/2003 (6 pgs), Pct Pub. (cover pg ONLY), PCT Written Opinion 4/08/2004, PCT Amendment 07/08/2004 (24 pgs), PCT Prelim Exam Report 10/04/2004 (17 pgs)</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

APPLICATION NO. (if known, see 37 CFR 1.5) **10/522450**

INTERNATIONAL APPLICATION NO.

PCT/EP2003/008067

ATTORNEY'S DOCKET NUMBER

2856 (201-344-B)

Applicant/Assignee

Office use only

The following fees are submitted:

Basic national fee..... **10/522450** \$300.00

Examination fee..... **10/522450** \$200.00

Search fee..... \$500.00

**TOTAL OF ABOVE CALCULATIONS = \$1000.00**

Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	Fee Value Account No.
- 100 =	0.00	/50 =	x \$250.00	\$ 0.00
Fee of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest priority date (37 CFR 1.492(e)).				\$ 130.00
AIMS	NUMBER FILED	NUMBER EXTRA	RATE	
All claims	24	- 20 = 4.00	x \$50.00	\$ 200.00
Dependent claims	1	- 3 = 0.00	x \$200.00	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS = \$ 200.00</b>				
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$ 100.00

SUBTOTAL = \$ 1,200.00	Adjustment Date: 01/01/2005 DAH: 210550
ng fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(f)).	02/10/2005 DAH: 210550 + 500.00 CR
	02 FC:1632
<b>TOTAL NATIONAL FEE = \$ 1,200.00</b>	
According to the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+ \$ 40.00
<b>TOTAL FEES ENCLOSED = \$ 1,240.00</b>	
Amount to be refunded:	\$
Amount to be charged:	\$ 1,240.00

A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

Please charge my Deposit Account No. **21-0550** in the amount of \$ **1,240.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any additional fees to my Deposit Account No. **21-0550**. A duplicate copy of this sheet is enclosed.

DAH Ref: 00000005 DAH: 210550 10522450

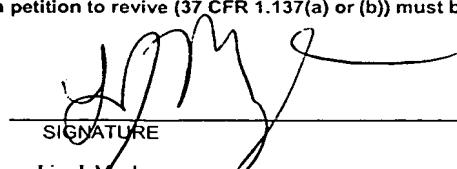
01 FC:1642 400.00 DA

Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed in time to restore the International Application to pending status.

TO WHOM IT MAY CONCERN:

States Surgical, a division of  
Healthcare Group, LP  
100 Avenue  
West, CT 06856

  
SIGNATURE

Lisa J. Moyle  
NAME

Reg. No. 40,737

REGISTRATION NUMBER

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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,240.00)

Complete if Known

107522450

Application Number	To be Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Peter Petros, et al
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	2856 (203-3411)

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	21-0550
Deposit Account Name	United States Surgical

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 1,000.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims below	Fee from	Fee Paid
Fee Code (\$)	Fee Code (\$)				
24	1	-	-20** = 4	x 50.00	= 200.00
- 3** = 0	x 86.00	- 0.00			
		290.00			
SUBTOTAL (2)			(\$ 200.00)		

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	\$40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

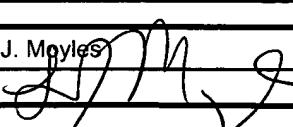
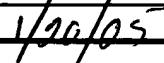
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

(Complete if applicable)

## SUBMITTED BY

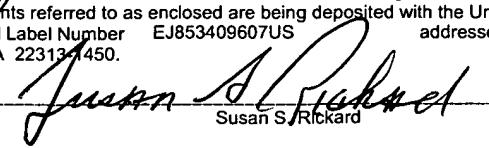
Name (Print/Type)	Lisa J. Moyles	Registration No. (Attorney/Agent)	40,737	Telephone (203) 845-1941
Signature		Date		

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409607US addressed to: Mail Stop NEW APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated:

1/20/05



Susan S. Rickard

6701 Rec'd PCT/PTO 20 JAN 2005

Attorney Docket: 2856  
(203-3411)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peter Petros, et al.

Serial No.: To Be Assigned Art Unit: To Be Assigned

Filed: Concurrently Herewith Examiner: To Be Assigned

For: IVS OBTURATOR INSTRUMENT AND PROCEDURE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Patent Application

CERTIFICATE OF EXPRESS MAILING

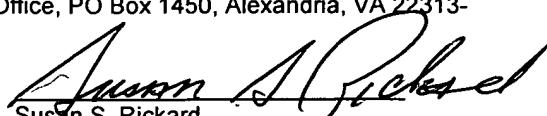
"Express Mail" Mailing Label No.: EJ853409607US

Date of Deposit: January 20, 2005

I hereby certify that the following:

- This Certificate of Mailing
- Application Transmittal Letter (2 pages)
- Fee Transmittal for FY 2004 (1 page)
- Application (25 pages including specification, claims and abstract) as filed
- 19 sheets of drawings (formal)
- Recordation Cover Sheet
- Assignment (3 pgs)
- Combined Declaration & Power of Attorney (6 pgs)
- Copy of PCT Request (6 pgs)
- Preliminary Amendment (3 pgs)
- Information Disclosure Statement (2 pages)
- 1449 (2 pages) + International Search Report (6 pgs) w/2 Foreign Cited References
- International Published Application (Cover page only)
- PCT Written Opinion (4 pgs)
- Response to Written Opinion (PCT Amendment) (24 pages)
- International Preliminary Examination Report (17 pages)
- Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409607US addressed to the U.S. Patent & Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, Mail Stop PATENT APPLICATION.

  
Susan S. Rickard

U.S. Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
150 Glover Avenue  
Norwalk, Connecticut 06856  
(203) 845-4489